

CORDARYL COLEMAN,
Petitioner,
v.
UNITED STATES OF AMERICA,
Respondent.

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clause of the Armed Career Criminal Act (ACCA), 18 U.S.C. § 924(e), after concluding that it was unconstitutionally vague.

Respondent moves for a 60-day extension from the date the Fourth Circuit issues its mandate in the cases of United States v. Ali, No. 15-4433, and United States v. Simms, No. 15-4640, in order to file a response to Petitioner's Motion to Vacate. Respondent contends that the issue of whether the offenses of Hobbs Act robbery and conspiracy to commit a Hobbs Act Robbery are predicate "crimes of violence" following Johnson may be resolved after these decisions are filed. Both of these cases are scheduled for oral argument in October.

The Court finds that because the issues involved in the Ali and Simms case are likely relevant to resolution of Petitioner's case, Respondent's motion to stay will be granted.

IT IS, THEREFORE, ORDERED that Respondent's motion to stay is **GRANTED**, (Doc. No. 3), and Respondent shall have 60-days after the Court files its opinions in United States v. Ali and United States v. Simms to file a response to Petitioner's § 2255 Motion to Vacate.

SO ORDERED.

Signed: September 22, 2016



Robert J. Conrad, Jr.
United States District Judge

